

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re PATENT APPLICATION OF

ANDERSON et al.

Group Art Unit: 1644

Appln. No.: 09/874,141

Examiner: P. Gambel

Filed: June 6, 2001

Title: NON-AGONISTIC ANTIBODIES TO HUMAN gp39, COMPOSITIONS
CONTAINING AND THERAPEUTIC USE THEREOF

TECH CENTER 1600/2003

APR 09 2003

RECEIVED

April 3, 2003

ELECTION RESPONSE

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the official action [Election of Species Requirement] dated January 3, 2003, the applicants elect with traverse multiple sclerosis (Group II-C) as the disease species for examination. The applicants traverse on grounds that the disease species all require treatment with gp39 antibodies, and that the effectiveness of each treatment can be similarly determined by assaying disruption of CD40/gp39 signaling. After a determination that generic claims are allowable, the applicants respectfully request consideration of the non-elected subject matter.

If the examiner has any questions relating to this response or any other matter he is respectfully requested to contact the undersigned.

Respectfully submitted,

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Enclosures: Election Response; Figures 1, 2A-B, 3-20; Fee Transmittal